REMARKS

The Examiner's indication of allowable subject matter of claims 6, 9, 10, 14, 18 and 22 is noted with appreciation.

Claims 1-36 are pending in the application. Allowable claims 6, 14, 18 and 22 have been rewritten in independent form. The remaining original claims have been amended to better define the claimed invention. New claims 24-36 have been added to provide Applicants with the scope of protection to which they are believed entitled. Claims 9 and 10 have been made dependent upon new independent claim 24. No new matter has been introduced through the foregoing amendments.

Claims 6, 9, 10, 14, 18, and 22 are clearly patentable over the applied art of record, because the art fails to disclose, teach or suggest the original limitations of claims 6, 9, 10, 14, 18, and 22.

The *35 U.S.C. 103(a)* rejection of claims 1-5, 7-8, 11-13, 15-17, 19-21 and 23 as being obvious over *Tang* (U.S. Patent No. 5,793,365) in view of *Naidoo* (U.S. Patent No. 6,629,136) is noted. Although Applicants do not agree with the Examiner's rejection, amendments have nevertheless been made to the independent claims to specifically define the claimed invention over the art.

In particular, amended independent claim 1 now requires that each terminal be configured to **periodically** transmit the information relating to the current position of said terminal to said server. This limitation finds solid support in the original specification and drawings, e.g., FIG. 4, page 9, lines 21, 23, and page 17, lines 15-19. In the applied references, especially *Naidoo*, the information relating to the current position of each terminal is transmitted, at best, only once during the user registration process. *See* column 8 lines 32-40 of *Naidoo*. Thereafter, the *Naidoo* process provides the user with localized content without requiring the user or the user's terminal to periodically transmit information relating to his or her current position. *See*, for example, FIG. 5 of *Naidoo*. Therefore, even if *Tang* and *Naidoo* were properly combinable in the manner the Examiner

proposed, the references would still fail to teach or disclose all limitations of amended claim 1. Claim 1 is thus patentable over the applied references.

Claims 2-5, 7-8, 11 and new claims 25-27 depend from claim 1, and are considered patentable at least for the reason advanced with respect to amended claim 1. Claims 2-5, 7-8, 11 and 25-27 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 4, it is unclear where the Examiner's suggestion or motivation to further modify the *Tang* and *Naidoo* combination might be found, i.e., in the references themselves or in the knowledge generally available in the art. Clarification is respectfully requested. In any event, citation of a reference or references of good date which provide(s) the Examiner's suggestion or motivation is deemed necessary to prove that the claimed feature was known in the art prior to the present invention.

As to claim 7, the Examiner has not specified where in the references the original claimed feature of changing the chat room might be found. Clarification is respectfully requested. Note that column 9, lines 2-9 of *Naidoo* relied upon by the Examiner in this rejection does not teach changing the chat room. In fact, *Naidoo* tends to teach away from this feature, by requiring that each user can access only the content (i.e., chat room) related to his or her geographic area. *See* column 9, lines 4-5 of *Naidoo*. For this reason, Applicants respectfully submit that the applied references clearly fail to teach or suggest the amended language of claim 7 reciting a chat room selecting unit which is configured **to transfer a user** from the chat room in which said user is currently participating to another chat room **according to a change in the current position** of the terminal of said user. Claim 7 is thus patentable over the applied references.

Claim 8 is patentable over the applied references for the reason advanced with respect to claim 7. The applied references also fail to fairly teach or suggest the limitation of claim 8 that said

sound control unit posts a **warning** to the terminal of said user that the chat room is about to change. _See_ page 35, lines 9-10 of the specification.

As to claim 25, the applied references clearly fail to disclose, teach or suggest a **user current position database** for storing data related to multiple positions of each terminal obtained at predetermined time intervals. _See_ FIG. 4 of the instant application.

As to claims 26-27, the applied references clearly fail to disclose, teach or suggest **a future position predicting unit** for predicting a future position of at least one of said terminals based on the stored multiple positions of said at least one terminal in the user current position database. _See_ original claims 9-10 and page 30, lines 21-24 of the specification.

Amended independent claim 12 now recites the step of **iteratively** obtaining the current position of each terminal based on information being transmitted from said terminal and relating to the current position of said terminal. _See_ FIG. 7, the loop between box S7-15 and box S7-1. In the applied references, especially _Naidoo_, the information relating to the current position of each terminal is transmitted, at best, only once during the user registration process. _See_ column 8 lines 32-40 of _Naidoo_. Therefore, even if _Tang_ and _Naidoo_ were properly combinable in the manner the Examiner proposed, the references would still fail to teach or disclose all limitations of amended claim 12. Claim 12 is thus patentable over the applied references.

Claims 13, 15 and new claims 28-35 depend from claim 12, and are considered patentable at least for the reason advanced with respect to amended claim 12. Claims 13, 15 and 28-35 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 15, see the discussion _supra_ with respect to claim 7.

As to claims 28-30, the applied references clearly fail to disclose, teach or suggest the step

of calculating distances between the terminals based on the current position of each terminal. *See* original claims 9-10.

As to claim 31, the applied references clearly fail to disclose, teach or suggest the step of configuring the terminals to **automatically, without user intervention**, transmit the information relating to the current position of said terminal. As discussed above with respect to *Naidoo*, the user is required to manually provide information relating to his or her location.

As to claim 32, the applied references clearly fail to disclose, teach or suggest that the current position of each terminal is repeatedly obtained and the chat room for the user at said terminal is repeatedly selected **multiple times during a chat session** of the user at said terminal. *See* FIG. 7 of the instant application.

As to claim 33, the applied references clearly fail to disclose, teach or suggest that the chat room transfer is performed **without terminating the chat session** of the user being transferred. *See* FIG. 7 of the instant application.

As to claims 34-35, the applied references clearly fail to disclose, teach or suggest that the chat room transfer is performed automatically unless the user to be transferred has chosen to stay in the current chat room. *See* page 35, lines 17-18 of the specification.

Amended claims 16, 17 and 19 are patentable over the applied references for the reasons advanced with respect to claims 12, 13 and 15, respectively.

Amended claims 20, 21 and 23 are also patentable over the applied references for the reasons advanced with respect to claims 12, 13 and 15, respectively.

New independent claim 24 is patentable over the applied references because the references fail to disclose, teach or suggest the claimed **inter-terminal distance calculating unit** which calculates distances between the terminals based on the current position of each terminal. *See*

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original claims 9 and 10.

New independent claim 36, which includes all features of the server recited in allowable claim 6, is believed patentable over the art as indicated in paragraph 14 of the Office Action.
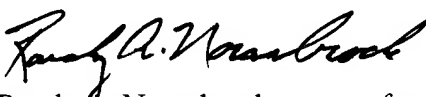
Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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